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*Attorneys for Plaintiffs Mark Brnovich
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UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Mark Brnovich, in his official capacity as
Attorney General of Arizona; *et al.*,

Plaintiffs,

v.

Joseph R. Biden in his official capacity as
President of the United States; *et al.*,

Defendants.

No. 2:21-cv-01568-MTL

**PARTIES' JOINT REPONSE TO
ORDER TO SHOW CAUSE**

1 Plaintiffs (the “State”) and Defendants (“DHS”) jointly respond to this Court’s Order
2 to Show Cause, (Doc. 227) and apologize for their failure to timely file the Joint Case Report.
3 This missed filing was the result of both parties’ failure to properly calendar the deadline. This
4 oversight was exacerbated by the press of business, which has been particularly heavy of late
5 and compounded by staff departures in recent weeks at the Arizona Attorney General’s Office.

6 The State and DHS have taken internal administrative steps to more carefully track
7 deadlines in this case and ensure that such an oversight does not happen again.

8 Concurrent with this Response, the parties are also filing their Joint Proposed Case
9 Management Report.

10
11 RESPECTFULLY SUBMITTED this 24th day of October, 2022.

12
13 **MARK BRNOVICH**
14 **ATTORNEY GENERAL**

15 By: /s/ James K. Rogers

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20 *Arizona*

21 By: /s/ Elissa Fudim

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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of October, 2022, I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the District of Arizona using the CM/ECF filing system. Counsel for all Defendants who have appeared are registered CM/ECF users and will be served by the CM/ECF system pursuant to the notice of electronic filing.

/s/ James K. Rogers
*Attorney for Plaintiffs Mark Brnovich, in his official
capacity as Attorney General of Arizona; and the State of
Arizona*